

Appl. No.: 10/752,890  
Filed: January 7, 2004  
Amdt. dated 01/26/2006

**REMARKS**

This Preliminary Amendment is responsive to the Final Office Action dated August 29, 2005 and the Advisory Action dated December 12, 2005. To fulfill the requirement that a satisfactory showing by way of an affidavit under 37 C.F.R. § 1.132 that the inventorship of the application is correct, Applicants are filing the Declaration of James C. Kennedy under 37 C.F.R. § 1.132, which Applicants respectfully submit provides a satisfactory showing that Mr. Kennedy is the inventor of the subject matter disclosed in U.S. Patent No. 6,722,202 and claimed in the present application. It is respectfully submitted that, in light of the declaration attached hereto, all of the claims are now in condition for allowance.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Keith A. Roberson  
Registration No. 52,171

Customer No. 00826

ALSTON & BIRD LLP

Bank of America Plaza

101 South Tryon Street, Suite 4000

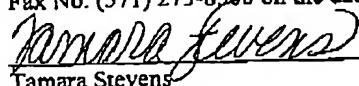
Charlotte, NC 28280-4000

Tel Charlotte Office (704) 444-1000

Fax Charlotte Office (704) 444-1111

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at Fax No. (571) 273-8300 on the date shown below.

  
Tamara Stevens  
January 26, 2004  
Date